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OFFICE OF PETITIONS

In re Application of	:	
Viji Rajarajan, et al.	:	
Application No. 10/015,129	:	DECISION DISMISSING PETITION
Filed: December 11, 2001	:	UNDER 37 CFR 1.313(a)
Attorney Docket No.	:	
MS167419.2/40062.151USU1	:	

This is a decision on the petition under 37 CFR 1.313(a), filed January 24, 2007, requesting withdrawal of the above-identified application from issue.


The petition is **DISMISSED** as moot for the reasons stated below.

A review of the file record discloses that a Notice of Allowance and Fee(s) Due was mailed on November 30, 2006, with the issue fee being due on or before February 28 2007. The Office records fail to disclose that the issue fee in this case has been paid.

The filing of a petition under 37 CFR 1.313(a) is unnecessary, since the mere filing of an RCE and submission will effectively withdraw an application from issue prior to payment of the issue fee. In view thereof, the petition to withdraw from issue is dismissed as involving a moot issue. *Note* MPEP §§ 706.07(h)(IX) and 1308.

Inquiries concerning this decision may be directed to April Wise at (571) 272-1642.

The matter is being referred to Technology Center AU 2161 for appropriate processing of the RCE filed January 24, 2007, and for consideration of the concurrently filed information disclosure statement.


Frances M. Hicks
Petitions Examiner
Office of Petitions